

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 DEBRA BAREFIELD,

12 Plaintiff,

13 v.

14 HSBC MORTGAGE SERVICES, INC.,
15 et al.,

16 Defendants.

Case No. 1:21-cv-0613 JLT CDB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF'S APPLICATION TO PROCEED
IN FORMA PAUPERIS ON APPEAL

(Docs. 69, 73)

17 On April 25, 2023, the assigned magistrate judge found Plaintiff's appeal is frivolous, and
18 issued Findings and Recommendations to deny Plaintiff's application to proceed *in forma*
19 *pauperis* on appeal. (Doc. 73.) The Findings and Recommendations were served on upon all
20 parties on the same day and contained a notice that any objections were due within 14 days. (*Id.*
21 at 4.) Plaintiff was also advised that "failure to file objections within the specified time may
22 result in the waiver of rights on appeal." (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39
23 (9th Cir. 2014), *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) More than 14 days
24 have passed, and no objections were filed.

25 Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court conducted a *de novo* review of this case.
26 Having carefully reviewed the entire action, the Court concludes the Findings and
27 Recommendations are supported by the record and by proper analysis.

28 ///

1 Based upon the foregoing, the Court **ORDERS**:

- 2 1. The Findings and Recommendations issued on April 25, 2023 (Doc. 73) are
3 adopted in full.
4 2. Plaintiff's motion to proceed *in forma pauperis* on appeal (Doc. 69) is denied.

5
6 IT IS SO ORDERED.

7 Dated: **May 19, 2023**


UNITED STATES DISTRICT JUDGE